

REMARKS

The Final Office Action mailed November 6, 2003, has been carefully reviewed and by this Amendment, Applicants have canceled claims 16-20 and amended claims 1, 2 and 15. Claims 1-15 are pending in the application. In view of the above amendments and the following remarks, favorable reconsideration and allowance of the pending claims is respectfully requested.

The Examiner rejected claims 1, 2, 4, 6 and 7 under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,119,097 to Ibarra in view of U.S. Patent No. 5,909,669 to Havens and further in view of Darling et al., "Databases with Character", InfoWorld, February 21, 1994, vol. 16, issue 8, pages 67-79 (hereinafter "Darling"). Also under 35 U.S.C. 103(a), the Examiner rejected claims 3, 5, and 15-18 as being unpatentable over Ibarra, Havens and Darling, and further in view of U.S. Patent No. 5,500,795 to Powers et al. ("Powers"), and rejected claims 8-14 as being unpatentable over Ibarra, Havens, and Darling, and further in view of official notice.

As set forth in amended claims 1 and 15, the present invention is a radical departure from the prior art, being directed to a system that, unlike the survey data or manually-inputted data disclosed by the prior art, *automatically captures* measurement data concerning performance of employees and stores such data in a database configured according to set-up criteria determined by the user. The configuration functions play an important role, being used to configure employees, objectives, objective groups incorporating weighting of the objectives, and data dictionary features. The result is highly automated and comprehensive processing of the automatically captured measurement data which avoids the pitfalls of the prior art approaches in which the performance measurement which is generated is both subjective, being based on secondary data (such as the survey data of Havens), and crude in that there is no disclosure or

suggestion of the linking of employers with objectives and objective groups as in the present invention.

According to the present invention each employee is linked with i) an objective having a threshold value and a measurement period; and ii) an objective group of multiple objectives, each objective within the group having a weighting factor; support for these amendments is found in the specification at page 13, lines 15-16, and at page 15, lines 19-23. The grouping of objectives and the use of such groups (in addition to the objectives) by the information management function allows the organization to attach a higher importance to one objective relative to another. Hence, should an employee to perform poorly in one area having an objective with only a 10% weighting and, by contrast, perform well in another area having an objective with a 90% weighting, the employee could still achieve a very good overall performance rating from the organization's viewpoint.

As further set forth in amended claims 1 and 15, and supported in the specification at pages 17-25, the data dictionary function includes menu means for creating a database field, defining formulas by which the database field is calculated, and establishing rules to determine how a result obtained for the database field is entered, displayed and calculated. More particularly, the data dictionary function menu means allows the user to create a database field including data entry options to describe the database field, to specify an organizational hierarchical level for the field, and to set a data measurement period. The menu means also allows the user to define formulas including data entry options for selecting and relating at least two variable fields with a selected operator to thereby calculate the database field. The user can also, through the menu means, establish rules including data entry options for specifying a

display mask format and enable manual data entry and override capabilities. This broad range of capabilities and configuration options available when creating database fields goes well beyond the fair teaching of Darling and cannot be said to be suggested thereby.

The prior art of Ibarra, Powers and Havens was discussed in the previous Amendment as filed on August 8, 2003, and while this discussion is not repeated here, reference is made thereto for the Examiner's kind reconsideration. Additionally, with respect to the newly cited Darling reference, Applicants request reconsideration of the Examiner's conclusion that the paragraphs cited (page 2, paragraph 9 and page 11, paragraphs 7 and 8), or any of the remainder of the article for that matter, fairly teach the "data dictionary function including menu means for creating a database field, defining formulas by which the database field is calculated, and establishing rules to determine how a result obtained for the database field is entered, displayed and calculated" as set forth in claims 1 and 15. Rather, Darling appears to be limited to providing only a cursory review of several database products and the database definition capability of each. Should the Examiner maintain this rejection, Applicants request further clarification of the basis within Darling for the Examiner's finding that the specific data dictionary functions claimed by the present invention are suggested therein.

Nor does the patent to Powers '795 teach the selecting and relating of at least two fields with a selected operator to thereby calculate the database field, as stated by the Examiner; instead, Powers '795 discloses only the weighting of each variable, which is not comparable to relating two variable fields in a particular relationship to define the database field.

In sum, there is no teaching or suggestion in the prior art of the versatile manner by which, as claimed by the present invention, performance data automatically imported from an

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external system is configured and manipulated according to a data dictionary formulation targeted to meet the needs of the particular organization and offering various data handling options to meet those needs. The combination of the integration engine configuration functions including the data dictionary function and the information management and configuration functions, allow the system of the present invention to operate in a highly efficient manner without unnecessary complexities. A system having the power of these functions is not shown or suggested by the prior art.

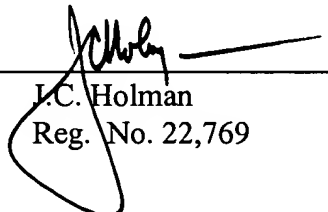
Based upon the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and favorable reconsideration and allowance of claims 1 and 15 is requested. In that the amendments represent a combination of previously considered claims, i.e., canceled claims 19-20 being incorporated into claim 1 and canceled claims 16-18 being incorporated into claim 15, Applicants present such amendments as being proper after Final action. Entry thereof and allowance of the claims is therefore requested.

Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

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